

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

MARIA GUADALUPE TREVIZO,	§	
Plaintiff,	§	
	§	
v.	§	Cause No. 2:17-CV-00215-M
	§	
CITY OF FRIONA, TEXAS,	§	
ISIDRO JIMENEZ, Individually and in His	§	
Capacity as Chief of Police, JESUS SAN	§	
MIGUEL, Individually and in His Capacity as	§	
a Police Officer of Friona, Texas, RODNEY	§	
STEVENS, Individually and in His Former	§	
Capacity as a Police Officer of Friona, Texas,	§	
and COLEMAN SPINHIRNE, Individually	§	
and in His Former Capacity as a Police Officer	§	
of Friona, Texas,	§	
Defendants.	§	

**JOINT REPORT**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW Maria Guadalupe Trevizo (“Plaintiff”), the City of Friona, Texas, Isidro Jimenez, Individually and in His Capacity as Chief of Police, Jesus San Miguel, Individually and in His Capacity as a Police Officer of Friona, Texas, Rodney Stevens, Individually and in His Former Capacity as a Police Officer of Friona, Texas, and Coleman Spinhirne, Individually and in His Former Capacity as a Police Officer of Friona, Texas, (“Defendants”) and file this Joint Report pursuant to the Court’s Order of February 16, 2018 as follows:

**1. A brief statement of the claims and defenses.**

Plaintiff asserts various claims asserting a violation of her constitutional rights under the Fourth and Fourteenth Amendments to the Constitution of the United States. Such claims are for excessive force, assault and intentional infliction of emotional distress, negligent hiring, and negligent supervision resulting from the arrest of Plaintiff. Defendants deny the allegations of

Plaintiff and assert various affirmative defenses, including, but not limited to, the defense of qualified and official immunity, probable cause, justification, intervening causation, and good faith.

2. **Proposed deadline to file motions for leave to join other parties: April 20, 2018.**

3. **Proposed deadline to amend pleadings: August 31, 2018.**

4. **Proposed deadline to file various types of motions, including dispositive motions:**

For summary judgment: **September 7, 2018.**

All other motions except motions in limine: **September 7, 2018.**

5. **Proposed time limits for initial expert designations.**

Parties seeking affirmative relief must file a written designation of expert witnesses by **June 18, 2018,** and must provide Rule 26(a)(2) disclosures to all other parties by **July 6, 2018.**

The expert designations are to be filed. Parties are to exchange Rule 26(a)(2) expert reports, but are not to file them.

6. **Proposed time limits for responsive expert designations.**

Parties opposing affirmative relief must file a written designation of expert witnesses by **July 20, 2018,** and must provide Rule 26(a)(2) disclosures to all other parties by **August 6, 2018.**

The expert designations are to be filed. Parties are to exchange Rule 26(a)(2) expert reports, but are not to file them.

7. **Proposed time limits for objections to experts.**

Parties must file their objections to experts (Daubert and similar motions) by **November 9, 2018.**

8. **Proposed discovery plan**

All discovery procedures shall be initiated in time to complete discovery by **October 31, 2018.**

The parties believe discovery will be needed on all subjects and allegations in Plaintiff's Complaint and Defendants' Answer.

The parties do not believe discovery should be conducted in phases, or limited, or focused on any particular issue.

9. The parties do not request additional discovery deadlines at this time.

10. The parties do not anticipate any disputes regarding the disclosure or discovery of ESI.

11. The parties have no requests for proposals regarding the handling and protection of privileged or trial-preparation material that should be reflected in a court order.

12. **Proposed trial-ready date: January 7, 2019.**

The parties will be ready for trial by January 7, 2019, and expect the trial to last 2-3 days. A jury has not been demanded at this time.

13. **Proposed date for further settlement negotiations.**

The parties will file a joint status of settlement negotiations by **June 15, 2018.** If the case has not settled, the parties will submit to mediation by **July 20, 2018.**

14. The parties have no objections or requests for modifications to the disclosures required under Rule 26(a). The parties will make the disclosures required under Rule 26(a)(1) by **March 26, 2018.**

15. The parties consent to trial before U.S. Magistrate Judge D. Gordon Bryant, Jr.

16. The parties are considering mediation and anticipate a mediation within the next 30-45 days. The parties hope that an early mediation will resolve the issues in this case in a cost effective and efficient manner. The parties recommend that Mike Loftin mediate the case.

17. The parties do not request any additional deadlines for scheduling and discovery.

18. The parties do not request a conference with the Court at this time.

19. The parties do not request any additional orders under R. 16(b) and (c) and 26(c).

Respectfully submitted,

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